

AO91 (Rev. 12/03) Criminal Complaint

## UNITED STATES DISTRICT COURT

DISTRICT OF

UNITED STATES OF AMERICA

V.

Michael Rader

**FILED**

DEC 02 2005

CRIMINAL COMPLAINT

Case Number:

**EDL**

3 05 70967

RICHARD W. WIEKING  
CLERK U.S. DISTRICT COURT,

(Name and Address of Defendant) NORTHERN DISTRICT OF CALIFORNIA

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about 5/16/05 <sup>5/17/2005</sup> in San Francisco County, in the Northern District of California defendant(s) did,

(Track Statutory Language of Offense)

See Attachment A

in violation of Title 21 United States Code, Section(s) 846 and 843(b).

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

Official Title

See Attachment B

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved as to form:

AUSA Beeler

Signature of Complainant

Jacob D. Millspaugh

Printed Name of Complainant

Sworn to before me and signed in my presence,

Date 12/2/2005

Hon. Bernard Zimmerman  
U.S. Magistrate Judge

Name of Judge

Title of Judge

at

San Francisco

City

California

State

Signature of Judge

**ATTACHMENT A**

**COUNT ONE:**

On May 16, 2005, and May 17, 2005, in the Northern District of California, defendant **MICHAEL RADER** and others did conspire to distribute or possess with intent to distribute 3,4 methylenedioxymethamphetamine in violation of Title 21, Section 846.

**Maximum Penalty:** Twenty years imprisonment; a fine up to \$1 million; 3 years supervised release; and a \$100 special assessment.

**COUNT TWO:**

On May 16, 2005, and May 17, 2005, in the Northern District of California, defendant **MICHAEL RADER** did use a communication facility to commit or facilitate the commission of a felony in violation of Title 21, Section 843(b).

**Maximum Penalty:** Four years imprisonment; a fine up to \$250,000; 3 years supervised release; and a \$100 special assessment.

**ATTACHMENT B**

UNITED STATES DISTRICT COURT )  
NORTHERN DISTRICT OF CALIFORNIA) **AFFIDAVIT IN SUPPORT OF**  
**COMPLAINT**

I, Jacob D. Millspaugh, being duly sworn, depose and state the following:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) and have been so employed since January, 2005. I am currently assigned to the Russian/Eurasian Organized Crime Squad at the FBI San Francisco Office.
2. The statements contained in this affidavit are based on my personal knowledge derived from my participation in this investigation and on information from the following sources which I believe to be reliable: oral and written reports from federal, state and local law enforcement officials; physical surveillance; analysis of telephone toll records and information from pen register/trap and trace; and review of intercepted conversations from court authorized Title III electronic surveillances.
3. This affidavit is being submitted in support of a criminal complaint charging Michael RADER (hereafter referred to as RADER) with (1) conspiracy to distribute and possess with intent to distribute a controlled substance, to wit 3,4 methylenedioxymethamphetamine (MDMA, hereafter ecstasy), in violation of Title 21, United States Code, Section 846 and (2) with use of a communication facility to commit or facilitate a felony, in violation of Title 21, United States Code, Section 843(b).

**I. OVERVIEW**

4. This investigation began in October 2004, when Semyon NEYS, aka Sam NEYS (hereafter referred to as NEYS) was identified as a dealer of large volumes of crystal methamphetamine (hereafter methamphetamine). On April 8, 2005, a Title III electronic surveillance of NEYS's mobile telephone (telephone number 415-710-3455, hereafter referred to as NEYS's phone) began. NEYS was later indicted in the Northern District of California for charges that are detailed in paragraph 5. During the course of the NEYS investigation and Title III electronic

surveillance, RADER was identified as a drug dealer and associate of NEYS.

5. On July 28, 2005, a Federal Grand Jury in the Northern District of California indicted NEYS, Yevgeny FRIDMAN, Ilya TUCHINSKY, Christopher CALDER and others on the following charges: Conspiracy to distribute a controlled substance, to wit methamphetamine and ecstasy, in violation of Title 21, United States Code, Section 846; and NEYS, Yevgeny FRIDMAN, Christopher CALDER and others with distribution and possession with the intent to distribute a controlled substance, to wit methamphetamine and ecstasy, in violation of Title 21, United States Code, Section 841(a)(1). This indictment is attached as Attachment C and is incorporated by reference.

## II. TITLE III INVESTIGATION

6. On April 8, 2005, the Honorable Marilyn H. Patel, United States District Judge, Northern District of California, in CR-0590151-MISC-MHP, authorized the interception of wire communications of NEYS; and others then known and unknown, over NEYS's phone. Interception began on April 8, 2005 and ended on May 7, 2005.

7. On May 10, 2005, the Honorable Marilyn H. Patel, United States District Judge, Northern District of California, in CR-0590151-MISC-MHP, authorized the interception of wire and electronic communications of NEYS; and others then known and unknown, over NEYS's phone. Interception began on May 10, 2005 and ended on June 8, 2005.

8. On May 31, 2005, the Honorable Marilyn H. Patel, United States District Judge, Northern District of California, in CR-0590151-MISC-MHP, authorized the interception of wire communications of Christopher CALDER; Semyon NEYS; and others then known and unknown, over 415-726-1696. Interception began on June 2, 2005 and ended on June 30, 2005. RADER was not intercepted during this Title III surveillance and was not known to have any contact with Christopher CALDER.

9. On July 1, 2005, the Honorable Marilyn H. Patel, United States District Judge, Northern District of California, in CR-0590151-MISC-MHP, authorized the interception of wire and electronic communications of NEYS; and others then known and unknown, over NEYS's phone.

Interception began on July 5, 2005 and ended on July 11, 2005.

**III. SUBJECTS OF THE INVESTIGATION**

10. Semyon NEYS is believed to be a middle man in a methamphetamine, ecstasy, cocaine, firearms, and stolen electronic equipment trafficking operation. NEYS plays a leadership role among various individuals in a loosely organized crime group that consists of ethnic Russian and non-Russian members, who are allegedly involved in drug distribution, identity theft, credit card fraud, automobile theft, electronic equipment theft and crimes of violence. NEYS was initially identified when he was arrested by the South San Francisco Police Department on November 21, 2003 for drug and weapons possession. NEYS was further identified during numerous subsequent surveillances.

11. Yevgeny FRIDMAN (hereafter referred to as FRIDMAN) is believed to be a drug dealer and associate of NEYS and RADER. FRIDMAN was identified as the user of telephone number 415-710-3564. Telephone number 415-710-3564 (hereafter referred to as FRIDMAN's phone) is subscribed to Yevgeny FRIDMAN with an address of 2469 Liberty Court, South San Francisco, California.

12. Ilya TUCHINSKY (hereafter referred to as TUCHINSKY) is believed to be a drug dealer and associate of NEYS and RADER. TUCHINSKY was identified as the user of telephone number 415-637-0075. Telephone number 415-637-0075 (hereafter referred to as TUCHINSKY's phone) is subscribed to Ilya TUCHINSKY with an address of 2642 38th Avenue, San Francisco, California.

13. Eugene ZAYCHENKO (hereafter referred to as ZAYCHENKO) is believed to be an associate of both NEYS and RADER. ZAYCHENKO was identified as the user of telephone number 415-265-4516. Telephone number 415-265-4516 (hereafter referred to as ZAYCHENKO's phone) is subscribed to Larisa DRAGUNSKAYA with an address of 324 32nd Avenue, San Francisco, California. California Department of Motor Vehicles (hereafter referred to as California DMV) records for ZAYCHENKO indicate his address is also 324 32nd Avenue, Apartment 1, San Francisco, California. ZAYCHENKO was identified through telephone

subscriber records and California DMV records.

14. Michael RADER is believed to be a drug dealer who purchases ecstasy from NEYS. RADER was identified through physical surveillance and California DMV records.

**IV. MICHAEL RADER'S ASSOCIATION WITH SEMYON NEYS**

15. During the course of the Title III electronic surveillance of NEYS's phone, there were 24 intercepted telephone calls either to or from telephone number 415-265-0943. Telephone number 415-265-0943 is subscribed to Golda RADER with an address of 822 31st Avenue, San Francisco, California. The address, 822 31st Avenue, San Francisco, California, is the same address that the California DMV has on record for RADER.

16. On May 3, 2005, at approximately 1:55 PM, NEYS placed an outgoing call using NEYS's phone to 415-265-0943. The call was not answered and the following is a summary of the recorded voice mail message: You've reached Mike, sorry I missed your call but leave a message and I'll call you back.

17. Based on the information described in paragraphs 15 and 16, I believe that Michael RADER uses telephone number 415-265-0943 (hereafter referred to as RADER's 1<sup>st</sup> phone) and that RADER had contact with NEYS using this telephone number.

18. Also, during the course of the Title III electronic surveillance of NEYS's phone, there were 24 intercepted telephone conversations where either NEYS or one of NEYS's associates referred to an individual named Rader. The following six intercepted telephone calls, detailed in paragraphs 19 - 24, are a representative sample of these calls.

19. On April 12, 2005, at approximately 1:17 AM, NEYS placed an outgoing call using NEYS's phone to FRIDMAN on FRIDMAN's phone. During this call NEYS and FRIDMAN had a coded conversation that was partly spoken in Russian and partly in English. Based on the translated transcript, the following is a summarized excerpt from that conversation: NEYS asks FRIDMAN how much money Rader gave him.

20. On April 14, 2005, at approximately 8:32 AM, NEYS received an incoming call on NEYS's phone from FRIDMAN using FRIDMAN's phone. During this call NEYS and FRIDMAN had

1 a coded conversation that was partly spoken in Russian and partly in English. Based on the  
2 translated transcript, the following is a summarized excerpt from that conversation: NEYS and  
3 FRIDMAN discuss where Zhenya and Rader were when they got busted.

4 21. On April 30, 2005, at approximately 10:28 PM, NEYS placed an outgoing call using NEYS's  
5 phone to ZAYCHENKO on ZAYCHENKO's phone. During this call NEYS and  
6 ZAYCHENKO had a coded conversation that was partly spoken in Russian and partly in  
7 English. Based on the translated transcript, the following is a summarized excerpt from that  
8 conversation: NEYS tells ZAYCHENKO he wants to share some information with Rader.

9 22. On May 5, 2005, at approximately 11:03 PM, NEYS placed an outgoing call using NEYS's  
10 phone to ZAYCHENKO on ZAYCHENKO's phone. During this call NEYS and  
11 ZAYCHENKO had a coded conversation that was partly spoken in Russian and partly in  
12 English. Based on the translated transcript, the following is a summarized excerpt from that  
13 conversation: ZAYCHENKO tells NEYS that Rader is there and NEYS asks ZAYCHENKO  
14 if Rader has a ball with him.

15 23. On May 7, 2005, at approximately 9:18 AM, NEYS placed an outgoing call using NEYS's  
16 phone to FRIDMAN on FRIDMAN's phone. During this call NEYS and FRIDMAN had a  
17 coded conversation that was partly spoken in Russian and partly in English. Based on the  
18 translated transcript, the following is a summarized excerpt from that conversation: FRIDMAN  
19 asks NEYS if he told Zhenya about Rader.

20 24. On May 14, 2005, at approximately 1:09 AM, NEYS placed an outgoing call using NEYS's  
21 phone to TUCHINSKY on TUCHINSKY's phone. During this call NEYS and TUCHINSKY  
22 had a coded conversation that was partly spoken in Russian and partly in English. Based on the  
23 translated transcript, the following is a summarized excerpt from that conversation: NEYS asks  
24 TUCHINSKY where Rader is because he owes him money.

25 25. Based on the information obtained from the above described intercepted telephone  
26 conversations, I believe that NEYS and his associates knew and had business dealings with an  
27 individual named Rader. I have been informed by Russian linguists and translators who are  
28

employed by the FBI that the name Zheyne, referenced in paragraphs 20 and 23, is a Russian familiar form of the Russian name Yevgeny which is commonly spelled Eugene in the United States. Based on this, I believe that the Zhenya mentioned in paragraphs 20 and 23 refer to ZAYCHENKO and that the conversation described in paragraph 20 referred to the January 14, 2005 arrest by the San Francisco Police Department (SFPD) of ZAYCHENKO and RADER (SFPD report number 050051843). I also believe, based on my training and experience, that the ball mentioned to in paragraph 22 refers to an eighth of an ounce of drugs.

**V. MICHAEL RADER'S SECOND MOBILE TELEPHONE NUMBER**

26. During the course of the Title III electronic surveillance of NEYS's phone it was determined that RADER also used telephone number 415-368-3278 to call NEYS. Telephone number 415-368-3278 (hereafter referred to as RADER's 2<sup>nd</sup> phone) was subscribed to Jonathan SIGAL with an address of 954 Market Street, San Francisco, California. The subscriber information provided by Metro PCS listed Jonathan SIGAL's date of birth (DOB) as February 9, 1979. It should be noted that RADER's DOB is February 8, 1980. The California DMV had one record for a Jonathan SIGAL that lives in the state of California. California DMV records for Jonathan SIGAL lists a current address of 29 Seamast Passage, Corte Madera, California and a DOB of May 16, 1954.

27. On April 17, 2005, at approximately 6:50 AM, NEYS placed an outgoing call using NEYS's phone to an unknown male (hereafter referred to as UM) on RADER's 2<sup>nd</sup> phone. During this call NEYS and UM had a conversation that was spoken in English. Based on my review of the call, the following is a summarized excerpt from that conversation: NEYS and UM discuss taking care of a dog and decide to meet at a Safeway Supermarket.

28. On April 17, 2005, at approximately 6:58 AM, NEYS received an incoming call on NEYS's phone from UM using RADER's 1<sup>st</sup> phone. During this call NEYS and UM had a conversation that was spoken in English. Based on my review of the call, the following is a summarized excerpt from that conversation: UM asks NEYS if he wants anything from Burger King and NEYS discusses the dog.



29. On May 28, 2005, at approximately 8:40 PM, NEYS received an incoming call on NEYS's phone from UM using RADER's 2<sup>nd</sup> phone. During this call NEYS and UM had a coded conversation that was partly spoken in Russian and partly in English. Based on the translated transcript, the following is a summarized excerpt from that conversation: NEYS refers to UM as Mish.

30. On May 28, 2005, at approximately 10:51 PM, NEYS received an incoming call on NEYS's phone from UM using RADER's 2<sup>nd</sup> phone. During this call NEYS and UM had a coded conversation that was partly spoken in Russian and partly in English. Based on the translated transcript, the following is a summarized excerpt from that conversation: NEYS greets the caller as Misha.

31. On May 28, 2005, at approximately 11:37 PM, NEYS received an incoming call on NEYS's phone from UM using RADER's 2<sup>nd</sup> phone. During this call NEYS and UM had a coded conversation that was partly spoken in Russian and partly in English. Based on the translated transcript, the following is a summarized excerpt from that conversation: NEYS refers to UM as Mish.

32. I have been informed by Russian linguists and translators who are employed by the FBI that the name Misha, referenced in paragraph 30, is the Russian familiar form of the Russian name Mikhail which is commonly spelled Michael in the United States. I believe that the name Mish, that was referenced in paragraphs 29 and 31, is a shortened form of Misha. Based on my review of the intercepted telephone calls described in paragraphs 27 and 28, as well as voice recognition, I believe that the user of RADER's 2<sup>nd</sup> phone and the user of RADER's 1<sup>st</sup> phone, are the same person. Also, based on intercepted telephone conversations that were described in paragraphs 29 through 31, as well as the intercepted telephone conversations and physical surveillance referenced in paragraphs 33 through 42, I believe that the actual user of RADER's 2<sup>nd</sup> phone is Michael RADER.

## **VI. SUBSTANTIVE DRUG TRANSACTION**

33. On May 16, 2005, at approximately 10:09 PM, NEYS received an incoming call on NEYS's

1 phone from RADER using RADER's 2<sup>nd</sup> phone. During this call NEYS and RADER had a  
2 coded conversation that was partly spoken in Russian and partly in English. Based on the  
3 translated transcript, the following is a partial summary of that conversation: RADER wants to  
4 buy 175 horses (type of ecstasy pill) from NEYS. NEYS has to buy a whole boat (1000  
5 ecstasy pills) from his supplier. RADER will buy 200 seahorses (type of ecstasy pill) if NEYS  
6 has to buy a boat from his supplier. NEYS tells RADER that if he buys 200 he will charge  
7 RADER \$4.50 per pill so the total will be \$900. NEYS tells RADER that his supplier is on the  
8 other line and that he'll call RADER right back.

9 34. On May 16, 2005, at approximately 10:51 PM, NEYS received an incoming call on NEYS's  
10 phone from RADER using RADER's 2<sup>nd</sup> phone. During this call NEYS and RADER had a  
11 coded conversation that was partly spoken in Russian and partly in English. Based on the  
12 translated transcript, the following is a partial summary of that conversation: RADER asks  
13 NEYS if everything is cool. NEYS says it is and he'll be ready in 20 minutes. RADER says he  
14 has the money now. NEYS tells him that he (NEYS) has to go to Chinatown to grab it and then  
15 he'll be right there.

16 35. On May 16, 2005, at approximately 11:55 PM, NEYS placed an outgoing call using NEYS's  
17 phone to RADER on RADER's 2<sup>nd</sup> phone. During this call NEYS and RADER had a coded  
18 conversation that was partly spoken in Russian and partly in English. Based on the translated  
19 transcript, the following is a partial summary of that conversation: RADER asks NEYS where  
20 he is. NEYS says he is at Pine and Mason (streets in San Francisco). RADER says he is at  
21 Mason and Ellis (streets in San Francisco) and asks NEYS if he wants to meet at the garage at  
22 Mason and Ellis. NEYS asks RADER to come to him at Pine and Mason. RADER will be  
23 there in a couple of minutes.

24 36. On May 16, 2005, at approximately 11:57 PM, FBI Agents observed NEYS standing in the  
25 rear parking lot of Grosvenor Suites, located at 899 Pine Street, San Francisco, California.  
26 Grosvenor Suites is located on the southeast corner of the intersection of Pine Street and Mason  
27 Street in San Francisco.  
28

37. On May 17, 2005, at approximately 12:14 AM, NEYS received an incoming call on NEYS's phone from RADER using RADER's 2<sup>nd</sup> phone. During this call NEYS and RADER had a coded conversation that was partly spoken in Russian and partly in English. Based on the translated transcript, the following is a partial summary of that conversation: NEYS asks RADER what's up. RADER says he's sorry but his car battery is dead and asks NEYS to come to him. NEYS says all right. RADER tells NEYS that the garage is on Mason and Ellis, two doors down from the building entrance. NEYS tells RADER he will see him there.
38. On May 17, 2005, at approximately 12:08 AM, FBI Agents observed NEYS driving near the intersection of Pine Street and Ellis Street in San Francisco.<sup>1</sup>
39. On May 17, 2005, at approximately 12:21 AM, NEYS received an incoming call on NEYS's phone from RADER using RADER's 2<sup>nd</sup> phone. During this call NEYS and RADER had a coded conversation that was partly spoken in English. Based on the transcript, the following is a partial summary of that conversation: NEYS tells RADER that he passed it because a cop was behind him. RADER asks if the cop is still behind him. NEYS says no. RADER tells NEYS to come back around. NEYS tells RADER that he does not want to meet there because he has a bad feeling. RADER will get somebody in the garage to give him a jump and call NEYS in two minutes.
40. On May 17, 2005, at approximately 12:34 AM, NEYS received an incoming call on NEYS's phone from RADER using RADER's 2<sup>nd</sup> phone. During this call NEYS and RADER had a coded conversation that was spoken in English. Based on the transcript, the following is a partial summary of that conversation: NEYS tells RADER that he is standing at Alhambra and Pierce (streets in San Francisco). RADER tells NEYS that he will be on Van Ness in a minute.

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<sup>1</sup>Approximate times listed for telephone calls are based on internal clocks for the interception equipment. Approximate times listed for surveillance observations are based on personal watches and/or automobile radio clocks. These different devices have not been synchronized and hence slight discrepancies in reported times should be expected.

41. On May 17, 2005, at approximately 12:39 AM, NEYS received an incoming call on NEYS's phone from RADER using RADER's 2<sup>nd</sup> phone. During this call NEYS and RADER had a coded conversation that was partly spoken in Russian and partly in English. Based on the translated transcript, the following is a partial summary of that conversation: NEYS asks where RADER is. RADER tells NEYS that he is on Washington and Van Ness (streets in San Francisco). RADER tells NEYS to go to the Chevron on Van Ness. RADER says he meant on Lombard (street in San Francisco). RADER says that on Lombard at Octavia or Buchanan (streets in San Francisco) there is a Chevron with a Shell across the street. NEYS says ok. RADER tells NEYS to meet at the Shell because he knows the guy that works there. RADER tells NEYS to stay at Mel's.

42. On May 17, 2005, at approximately 12:50 AM, while conducting a physical surveillance of the activity described in paragraphs 37 through 45, your affiant was using a gasoline pump at the Shell gas station located at 1800 Lombard Street, San Francisco, California, which was believed to be the Shell gas station that NEYS and RADER had referenced in their intercepted conversation described in paragraph 45. While your affiant was pumping gasoline, an unknown male (later identified as RADER) approached your affiant and asked if he could jump off his car because his battery was dead. RADER was observed to be driving a silver Acura, bearing California License Plate number 4PGA719, and was parked at the Shell gas station. Subsequently, The California Department of Motor Vehicles was checked and the registered owners of the above mentioned silver Acura were determined to be Leon RADER and Michael RADER. After a review by your affiant of the California DMV driver's license photograph of RADER, number B6973475, RADER's identity was confirmed.

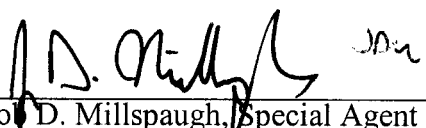
43. Based on the information obtained from intercepted telephone conversations and physical surveillance described in paragraphs 33 through 42, I have probable cause to believe that NEYS and RADER committed the following federal offenses: Conspiracy to distribute and possess with intent to distribute a controlled substance, to wit ecstasy, in violation of Title 21, United States Code, Section 846; Use of a communication facility to commit or facilitate a

felony , in violation of Title 21, United States Code, Section 843(b).

**VII. CONCLUSION**

44. Based on the above mentioned facts set forth in this affidavit, your affiant believes there is probable cause to believe that on or about May 16, 2005, and May 17, 2005, in the Northern District of California, defendants NEYS and RADER did conspire with intent to distribute ecstasy in violation of Title 21, Section 846.

45. Based on the above mentioned facts set forth in this affidavit, your affiant believes there is probable cause to believe that on or about May 16, 2005, and May 17, 2005, in the Northern District of California, defendant RADER did use a communication facility to commit or facilitate the commission of a felony in violation of Title 21, Section 843(b).

  
\_\_\_\_\_  
Jacob D. Millspaugh, Special Agent  
Federal Bureau of Investigation

SUBSCRIBED & SWORN to before me on

This 2nd day of December, 2005.

  
\_\_\_\_\_  
United States Magistrate Judge

**ATTACHMENT C**

1 KEVIN V. RYAN (CASBN 118321)  
2 United States Attorney

**FILED**

JUL 28 2005

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

VRW

11  
12 UNITED STATES OF AMERICA

13 Plaintiff,

14 v.

15 SEMYON NEYS,  
16 aka "Sam"  
17 YEVGENY FRIDMAN,  
18 aka "Eugene" "Irusik" Zhenya"  
19 JENA DAVIS,  
20 URIEL SOTOMAYOR,  
21 aka "Jiga"  
22 JASON TANG,  
23 aka "Jay"  
24 ANTHONY NGUYEN,  
25 aka "Tuan"  
26 ILYA TUCHINSKY,  
27 CHRISTOPHER LEE CALDER,  
28 PAUL ANCAJIMA,  
AARON DELAROSA,  
CHARLES MOORE,  
JESUS POMPERADA BASCO,  
aka "Jessie"  
NEIL PAUL SANDERS,  
OLEG GLADSHTEYN, and  
WHITNEY OSTERHOUT,

Defendants.

**CR 05 00491**

VIOLATIONS: 21 U.S.C. § 841(a)(1) --  
Distribution and Possession With Intent To  
Distribute Methamphetamine; 21 U.S.C. §  
841(a)(1) -- Distribution and Possession  
With Intent To Distribute 3,4  
Methylenedioxymethamphetamine; 21  
U.S.C. § 846 -- Conspiracy to Distribute and  
Possess With Intent to Distribute  
Methamphetamine and 3,4  
Methylenedioxymethamphetamine; 18  
U.S.C. § 2 -- Aiding and Abetting

SAN FRANCISCO VENUE

INDICTMENT

INDICTMENT

# United States District Court **FILED**

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
CRIMINAL DIVISION  
VENUE: SAN FRANCISCO

JUL 28 2005

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

V.

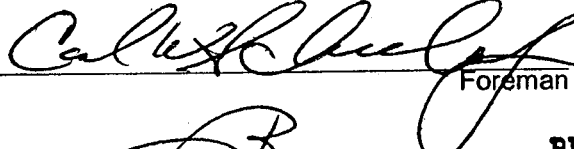
Semyon Neys, aka "Sam;" et al,

DEFENDANT.

## INDICTMENT

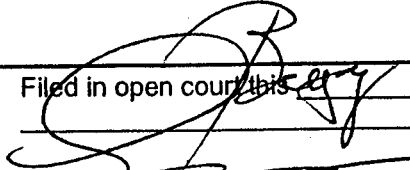
See Attached Penalty Sheet.

A true bill.

  
Foreman

BETTY FONG

Filed in open court this 28 day of July 28, 2005



EDWARD M. CHEN  
UNITED STATES MAGISTRATE JUDGE  
Clerk

Ney's - No Process

Friedman - NB Warrant

Dennis - No Process

Soto Mayan - NB Warrant

Tau - NB Warrant

Nguyen - NB Warrant

De la Cruz - No Process

Calden - No Process

Amesbury - No Process

Bail, \$

De la Cruz - NB Warrant

Moore - NB Warrant

Dennis - No Process

Sanders - No Process

Glenn Shlegel -  
NB Warrant

Osaka - NB  
Warrant



1 The Grand Jury charges:

2 COUNT ONE: (21 U.S.C. § 846 -- Conspiracy to Distribute Methamphetamine and Ecstasy)

3 On or about and between October, 2004 and July 12, 2005, in the Northern District of  
4 California, and elsewhere, the defendants

5 SEMYON NEYS,  
6 aka "Sam"  
7 YEVGENY FRIDMAN,  
8 aka "Eugene" "Irusik" Zhenya"  
9 JENA DAVIS,  
10 URIEL SOTOMAYOR,  
11 aka "Jiga"  
12 JASON TANG,  
13 aka "Jay"  
14 ANTHONY NGUYEN,  
15 aka "Tuan"  
16 ILYA TUCHINSKY,  
17 CHRISTOPHER LEE CALDER,  
18 PAUL ANCAJIMA,  
19 AARON DELAROSA,  
20 CHARLES MOORE,  
21 JESUS POMPERADA BASCO,  
22 aka "Jessie"  
23 NEIL PAUL SANDERS,  
24 OLEG GLADSHTEYN, and  
25 WHITNEY OSTERHOUT,

26 did, along with others known and unknown to the grand jury, knowingly and intentionally  
27 conspire to distribute and to possess with intent to distribute a Schedule II controlled substance,  
28 to wit: 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, and a  
Schedule I controlled substance, to wit: 3,4 methylenedioxymethamphetamine (MDMA), also  
known as ecstasy, in violation of Title 21, United States Code, Section 846.

21 COUNT TWO: (21 U.S.C. § 841(a)(1), (b)(1)(A)(viii) and 18 U.S.C. § 2)

22 On or about January 4, 2005, in the Northern District of California, the defendant

23 SEMYON NEYS,  
24 aka "Sam,

25 did knowingly and intentionally distribute and possess with intent to distribute a Schedule II  
26 controlled substance, to wit: 50 grams or more of methamphetamine, its salts, isomers, and salts  
27 of its isomers, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A)(viii) and  
28 Title 18, United States Code, Section 2.

INDICTMENT

1 COUNT THREE: (21 U.S.C. § 841(a)(1), (b)(1)(C) and 18 U.S.C. § 2)

2 On or about and between April 15, 2005 and April 16, 2005, in the Northern District of  
3 California, the defendants

4 SEMYON NEYS,  
5 aka "Sam  
6 JENA DAVIS,  
CHRISTOPHER LEE CALDER, and  
CHARLES MOORE,

7 did knowingly and intentionally distribute and possess with intent to distribute a Schedule I  
8 controlled substance, to wit: 3,4 methylenedioxymethamphetamine (MDMA), also known as  
9 ecstasy, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and Title 18,  
10 United States Code, Section 2.

11  
12 COUNT FOUR: (21 U.S.C. § 841(a)(1), (b)(1)(A)(viii) and 18 U.S.C. § 2)

13 On or about April 30, 2005, in the Northern District of California, the defendants

14 SEMYON NEYS,  
15 aka "Sam  
16 JENA DAVIS, and  
URIEL SOTOMAYOR,  
aka "Jiga,"

17 did knowingly and intentionally distribute and possess with intent to distribute a Schedule II  
18 controlled substance, to wit: 50 grams or more of methamphetamine, its salts, isomers, and salts  
19 of its isomers, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A)(viii) and  
20 Title 18, United States Code, Section 2.

21  
22 COUNT FIVE: (21 U.S.C. § 841(a)(1), (b)(1)(C) and 18 U.S.C. § 2)

23 On or about June 21, 2005, in the Northern District of California, the defendants

24 SEMYON NEYS,  
25 aka "Sam  
CHRISTOPHER LEE CALDER,  
26 PAUL ANCAJIMA, and  
AARON DELAROSA,

27 did knowingly and intentionally distribute and possess with intent to distribute a Schedule I  
28 controlled substance, to wit: 3,4 methylenedioxymethamphetamine (MDMA), also known as

INDICTMENT

ecstasy, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and Title 18,  
United States Code, Section 2.

COUNT SIX: (21 U.S.C. § 841(a)(1), (b)(1)(C) and 18 U.S.C. § 2)

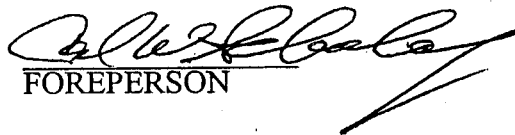
On or about July 10, 2005, in the Northern District of California, the defendants

SEMYON NEYS,  
aka "Sam"  
YEVGENY FRIDMAN  
aka "Eugene" "Irusik" Zhenya"  
JASON TANG  
aka "Jay," and  
NEIL PAUL SANDERS

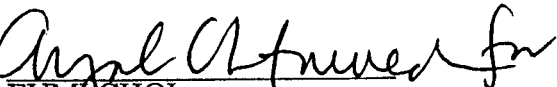
did knowingly and intentionally distribute and possess with intent to distribute a Schedule I  
controlled substance, to wit: 3,4 methylenedioxymethamphetamine (MDMA), also known as  
ecstasy, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C) and Title 18,  
United States Code, Section 2.


DATED: 7/28/05

A TRUE BILL.

  
FOREPERSON

KEVIN V. RYAN  
United States Attorney

  
EUM CHOI  
Chief, Criminal Division

(Approved as to form: )

AUSA LEE

INDICTMENT

## PENALTY SHEET

### COUNT ONE:

**Maximum Penalty:** Life imprisonment with a mandatory minimum of 10 years imprisonment; a fine up to \$4 million; 5 years of supervised release; and, a \$100 special assessment.

### COUNT TWO:

**Maximum Penalty:** Life imprisonment with a mandatory minimum of 10 years imprisonment; a fine up to \$4 million; 5 years of supervised release; and, a \$100 special assessment.

### COUNT THREE:

**Maximum Penalty:** Twenty years imprisonment; a fine up to \$1 million; 3 years of supervised release; and a \$100 special assessment.

### COUNT FOUR:

**Maximum Penalty:** Life imprisonment with a mandatory minimum of 10 years imprisonment; a fine up to \$4 million; 5 years of supervised release; and, a \$100 special assessment.

### COUNT FIVE:

**Maximum Penalty:** Twenty years imprisonment; a fine up to \$1 million; 3 years of supervised release; and a \$100 special assessment.

### COUNT SIX:

**Maximum Penalty:** Twenty years imprisonment; a fine up to \$1 million; 3 years of supervised release; and a \$100 special assessment.

**NAME CHART****COUNTS CHARGED**

1.	SEMYON NEYS aka "Sam"	1, 2, 3, 4, 5, 6
2.	YEVGENY FRIDMAN aka "Eugne" "Irusik" Zhenya"	1, 6
3.	JENA DAVIS	1, 3, 4
4.	UREL SOTOMAYER aka "Jiga"	1, 4
5.	JASON TANG aka "Jay"	1, 6
6.	ANTHONY NGUYEN aka "Tuan"	1
7.	ILYA TUCHINSKY	1
8.	CHRISTOPHER LEE CALDER	1, 3, 5
9.	PAUL ANCAJIMA	1, 5
10.	AARON DELAROSA	1, 5
11.	CHARLES MOORE	1, 3
12.	JESUS POMPERADA BOSCO aka "Jessie"	1
13.	NEIL PAUL SANDERS	1, 6
14.	OLEG GLADSHTEYN	1
15.	WHITNEY OSTERHOUT	1